

# **Zoning Board of Adjustments**



## **February 21, 2011**

**Regular Business Meeting**



# Wylie Zoning Board of Adjustment NOTICE OF MEETING

## Regular Meeting Agenda Monday, February 21, 2011 – 7:00 pm Wylie Municipal Complex – Council Chambers 300-100 Country Club

**Linda Jourdan** .....Chair  
**Bill Baumbach** ..... Vice-Chair  
**F. Darnell Harris** ..... Board Member  
**Karyn McGinnis** ..... Board Member  
**Kelly Price** ..... Board Member  
**Jason Potts** ..... Alternate Board Member  
**Bryan Rogers** ..... Alternate Board Member

**Renaé Ollie** .....Planning Director  
**Charles Lee** ..... Senior Planner  
**Jasen Haskins** ..... Assistant Planner  
**Mary Bradley** ..... Administrative Assistant

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: [www.wylietexas.gov](http://www.wylietexas.gov) within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

*The Chair and Board Members request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

*The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.442.8100 or TD 972.442.8170.*

### CALL TO ORDER

*Announce the presence of a Quorum.*

### CONSENT AGENDA

1. Consider and act upon approval of the Minutes of the October 25, 2010 Meeting.

## AGENDA

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### **Public Hearing**

1. Hold a public hearing to consider and act upon a request by **Richard Ramirez** for a Variance to Section 2.5.C.e.2 of the Zoning Ordinance from the requirement of an accessory structure covering more than 2% of the lot to have a masonry exterior property located at 610 Oakbrook Drive (ZBA 2011-01).

## ADJOURNMENT

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## CERTIFICATION

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*I certify that this Notice of Meeting was posted on this 18<sup>th</sup> day of February, 2011 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

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**Carole Ehrlich, City Secretary**

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**Date Notice Removed**

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# Wylie Zoning Board of Adjustment

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## Minutes

Zoning Board of Adjustment  
**Monday, October 25, 2010 – 7:00 pm**  
**Wylie Municipal Complex – Council Chambers**  
**2000 Highway 78 North**

### CALL TO ORDER

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*Announce the presence of a Quorum.*

Board Member Linda Jourdan called the meeting to order at 7:00 p.m. and stated that a quorum was present. Board Members present were; Vice-Chairman Bill Baumbach, Board Member Darnell Harris, Board Member Kelly Price, and Board Member Karyn McGinnis.

Staff members present were: Assistant Planner Jasen Haskins, and Administrative Assistant Mary Bradley.

### CONSENT ITEMS

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1. Consider and act upon approval of the Minutes of the September 27, 2010 Meeting.

A motion was made by Board Member McGinnis, and seconded by Board Member Harris, to approve the Minutes from the September 27, 2010 Meeting as submitted. Motion carried 5 – 0.

### PUBLIC HEARINGS

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1. Hold a public hearing to consider and act upon a request by **Aldi** for a Variance to Section 5.2.F.14.c parking regulations of the Zoning Ordinance to reduce the required General Merchandise of Food Store greater than 5,000 s.f. to allow 80 parking spaces in lieu of the required 90. Property located at 3459 and 3463 W. FM544, being Lot 2 Block 1 of the Children's Lighthouse Addition and Lot 2 Block 1 of the QT Eight Hundred Ninety Four Addition. **(ZBA 2010-08).**

Mr. Haskins stated that the property is located on the north side of FM 544, west of Springwell Parkway and east of McCreary Road, and consists of two lots. When the applicant submits a Site Plan, a Replat of Children's Lighthouse Addition Lot 2, Block 1 and QT Eight Hundred Ninety Four Addition, Lot 2, Block 1 will be required to combine the two lots.

The property in its entirety is 2.34 acres. The applicant is proposing to construct a 17,886 square foot general food store, greater than 5,000 square feet. The applicant is asking for a variance to the parking regulations to allow 80 parking spaces in lieu of the required 90.

Chairman Jourdan opened the Public Hearing.

Mr. Bryan Burger, Civil Engineer, 14800 Quorum Drive, Suite 200, Dallas, Texas, stated that the intent is to construct an Aldi Grocery Store. Aldi has about 4 to 5 aisles, with a minimum of 5 employees. The store is not open 24 hours and there are very few name brand items, most items are Aldi private label. The store selection is not meant to provide 100% of a customer's grocery needs; therefore, the average customer will spend about half the time in their store as opposed to a typical grocery store. The customer turn-over is higher, the parking is utilized for a shorter time period and the applicant feels that 80 parking spaces will be sufficient. The applicant plans additional landscaping in lieu of the 10 parking spaces, exceeding the required 20 percent within the parking lot area. The Zoning Ordinance requires a landscape island every twelve parking spaces, the applicant's concept plan shows an island every eight parking spaces. Additional landscaping would reduce the impervious surface of the lot and reduce water run-off, a desirable effect in accordance with the Zoning Ordinance.

Chairman Jourdan closed the Public Hearing.

A motion was made by Board Member Harris, and seconded by Vice Chairman Baumbach, to Grant the request for a variance to Section 5.2.F.14.c parking regulations of the Zoning Ordinance to reduce the required General Merchandise of Food Store greater than 5,000 square foot to allow 80 parking spaces in lieu of the required 90, with the condition that the landscape requirements remain 23% of the parking lot area. Property located at 3459 and 3463 W. FM 544, being Lot 2 Block 1 of the Children's Lighthouse Addition and Lot 2 Block 1 of the QT Eight Hundred Ninety Four Addition. (ZBA 2010-08) Motion carried 5 – 0.

## ADJOURNMENT

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A motion was made by Board Member Harris, and seconded by Board Member McGinnis, all Board Members were in consensus, and the meeting adjourned at 7:15p.m.

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**Linda Jourdan, Chairman**

**ATTEST:**

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**Mary Bradley, Secretary**

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# Wylie Zoning Board of Adjustment

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## AGENDA REPORT

<b>Meeting Date:</b>	<u>February 21, 2011</u>	<b>Item Number:</b>	<u>1</u>
<b>Department:</b>	<u>Planning</u>	<b>Case Number:</b>	<u>2011-01</u>
<b>Prepared By:</b>	<u>Jasen Haskins</u>	<b>Project Location:</b>	<u>610 Oakbrook Drive</u>
<b>Date Prepared:</b>	<u>February 15, 2011</u>	<b>Subdivision Name:</b>	<u>Stoneridge Farms Addition</u>
		<b>Exhibits:</b>	<u>Location Map; site plan, and structure specifications; Notification List and Map with Responses</u>

### Subject

Variance to Section 2.5.C.e.2 of the Zoning Ordinance from the requirement of an accessory structure covering more than 2% of the lot to have a masonry exterior, property located at 610 Oakbrook Drive.

### Discussion

The subject property is located at 610 Oakbrook Drive in the Stoneridge Farms Addition.

The applicant is proposing to construct a 1,200 square foot accessory structure, with a metal exterior material, on a residential lot of approximately 44,400 square feet.

The applicant requests a variance to Section 2.5.C.e.2 of the Zoning Ordinance requiring an accessory structure covering more than 2% of the lot to have a masonry exterior.

The property is currently zoned SF-10/24 which allows one or two accessory structures per lot not totaling more than 5% lot coverage, cumulative. The ordinance requires a single accessory structure of more than 2% lot coverage to be built with a masonry exterior to match the main building. The intent of the ordinance is to allow for the purchase and installation of accessory structures, such as those sold at local home improvement centers, if they are relatively small (<2%) compared to the lot and home size. However, larger accessory buildings, those greater than 2% but less than 5% of lot coverage, are greater investments and usually more visible structures that are required to have a masonry exterior that closely matches the main structure on the lot. Under this Ordinance the largest accessory structure available to the applicant based on the size of his lot of 44,400 square feet is 888 square feet.

The board has approved two similar requests within the last 24 months.

The applicant has provided a site plan and draft building plans that outline the placement, size, and materials of the accessory structure.

The applicant maintains that due to these current conditions his request would be keeping within the look and feel of the neighborhood. It is also his contention that the one acre lots in Stoneridge Farms represent a unique physical circumstance as they are larger than the average lot within the City and thus the intent of the Ordinance is still being met if a variance is approved.

Public comment forms were mailed to 10 property owners within 200 feet of this request, as required by State Law. No responses have been received at the time of this posting.

**The Board shall not grant a variance to the development code which:**

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

**In order to grant a variance to the development code the Board shall find that all the following have been satisfied:**

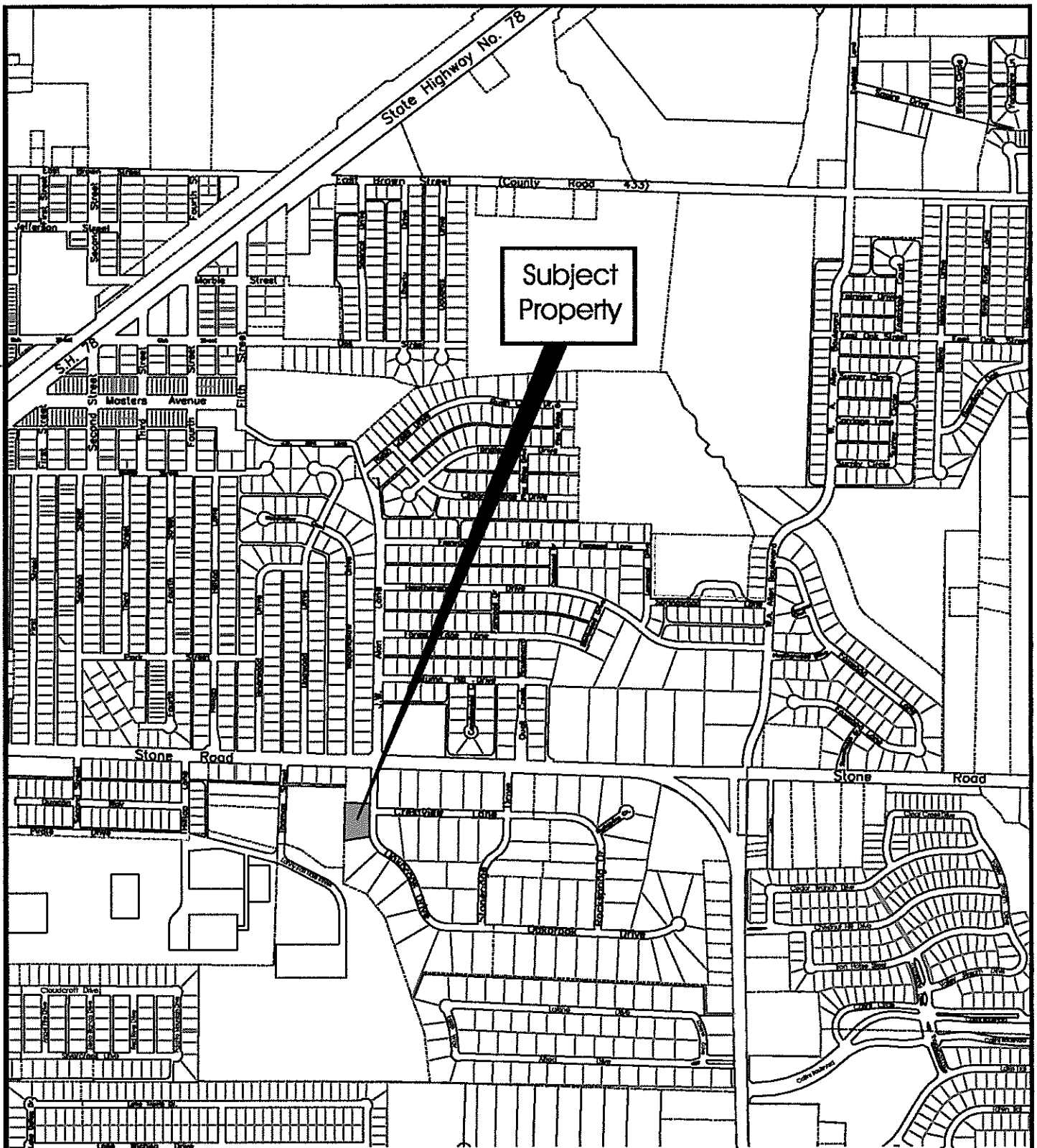
- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted will not adversely affect the health, safety or welfare of the citizens of Wylie.

**Approved By**

**Department Director**

*Initial*  
RO

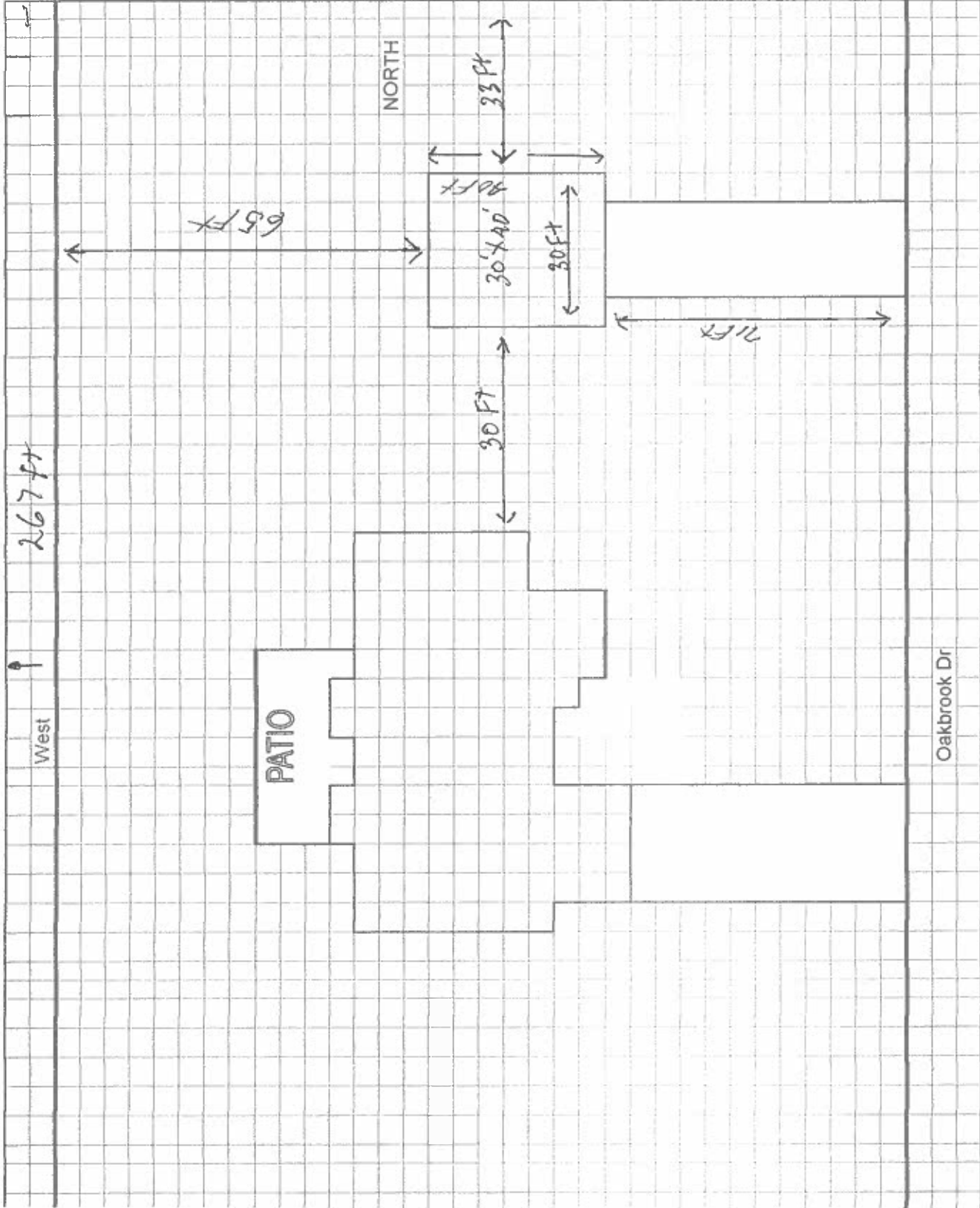
*Date*  
02/17/11



# LOCATION MAP

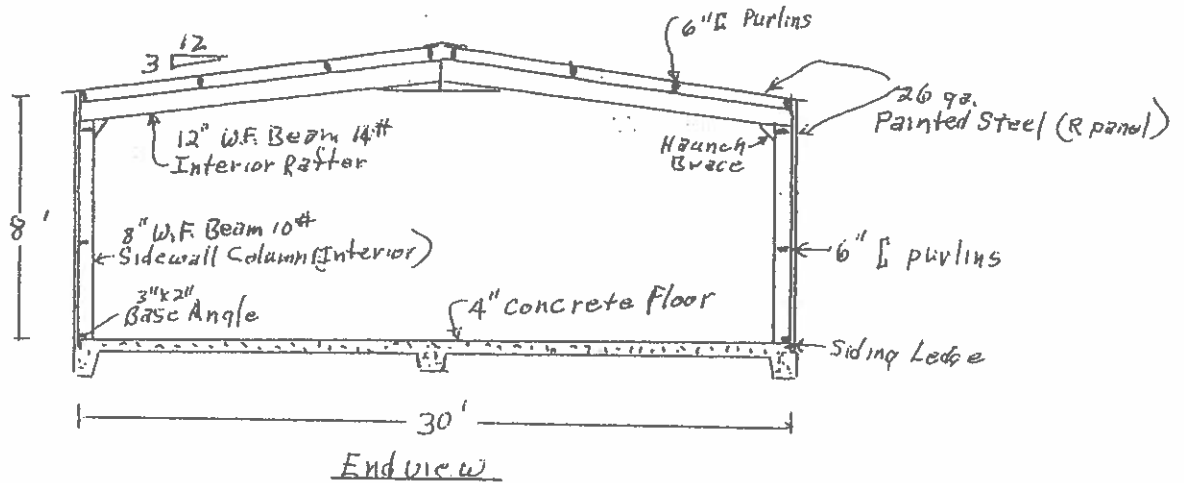
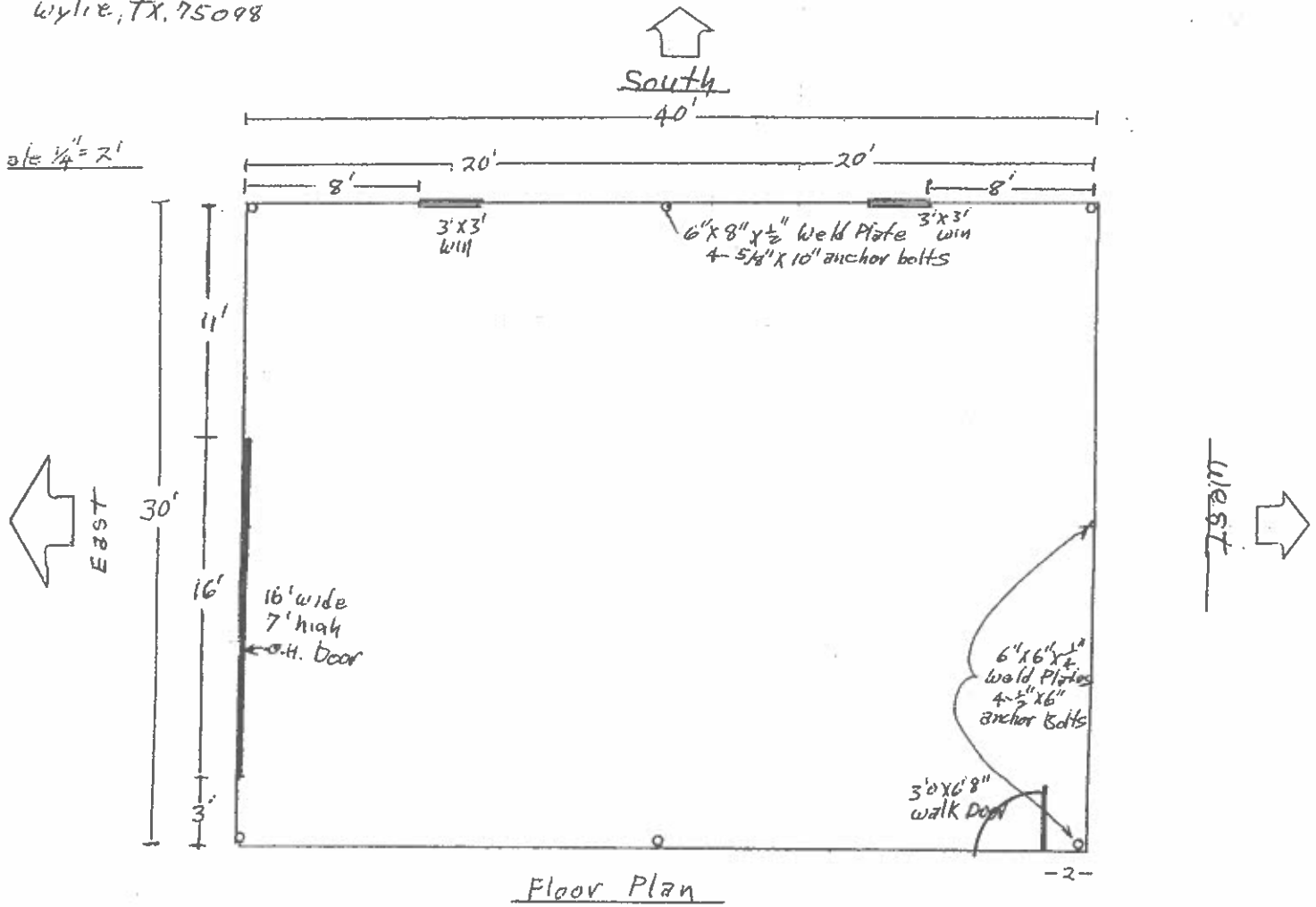
## ZBA CASE #2011-01





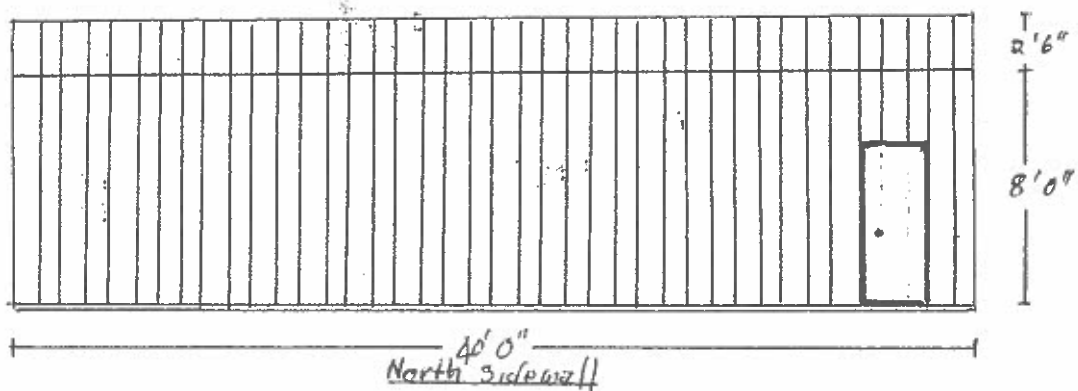
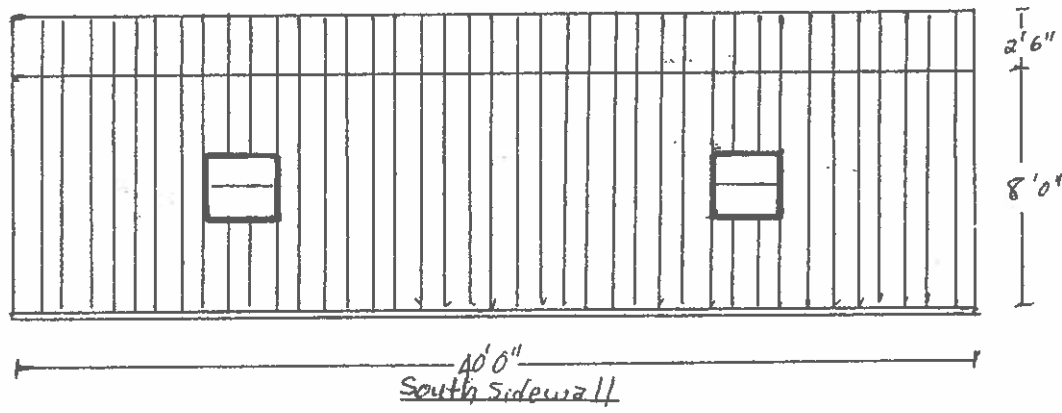
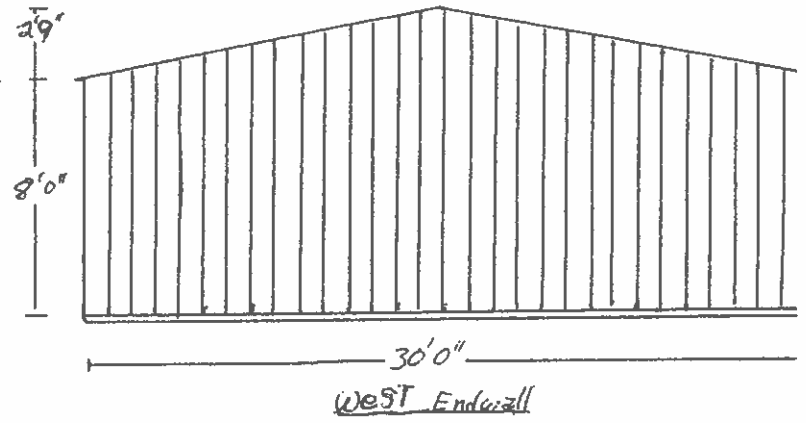
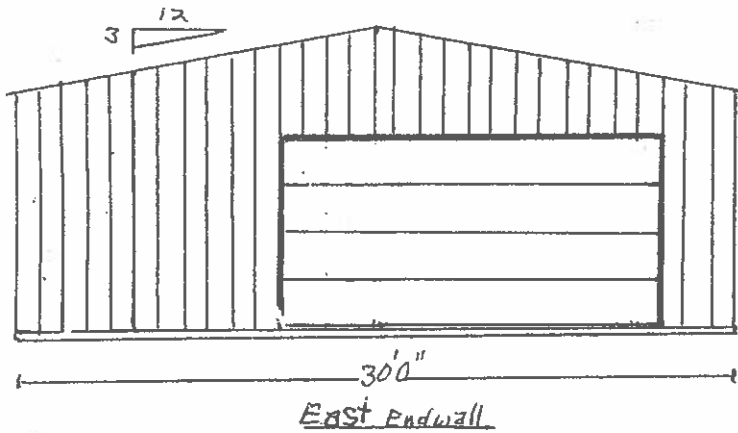
191'

Richard Ramirez  
610 Oakbrook  
Wylie, TX. 75098



Wylie, TX. 75098

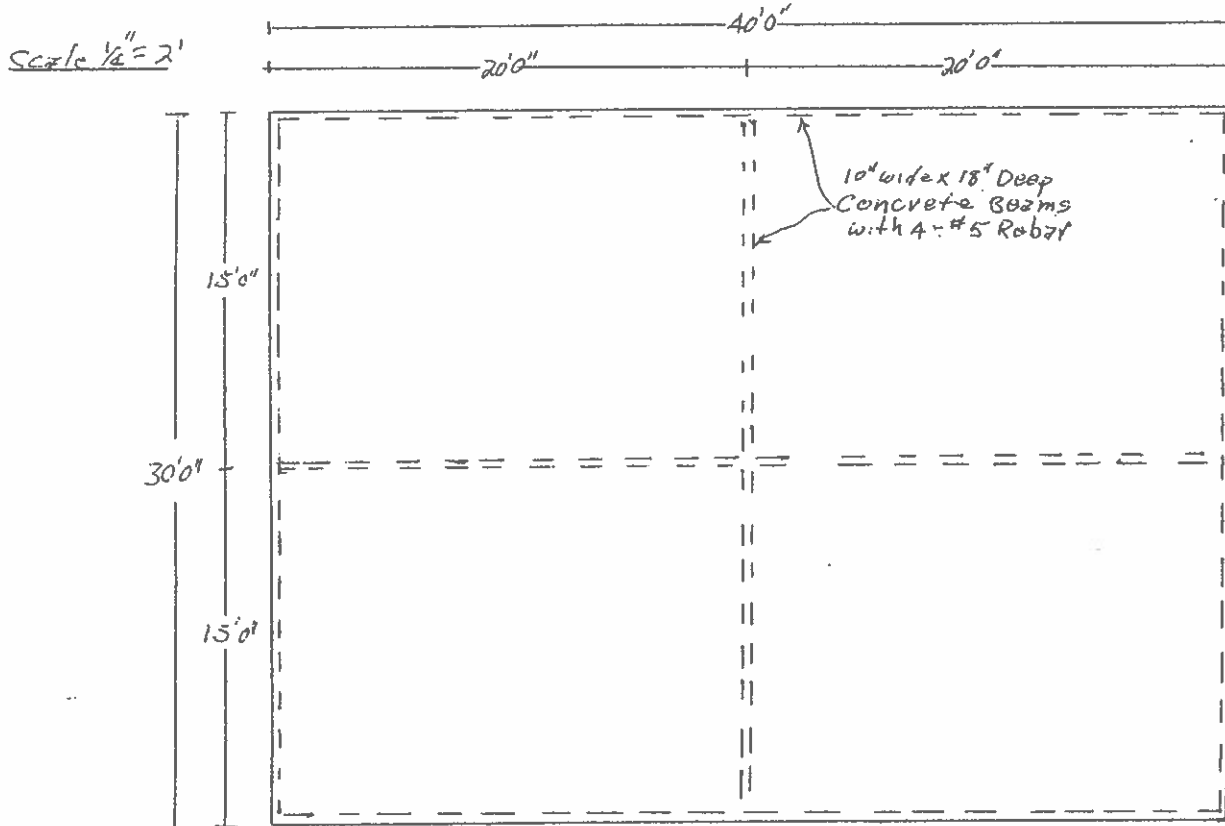
$SC \approx 1/4" = 2'$



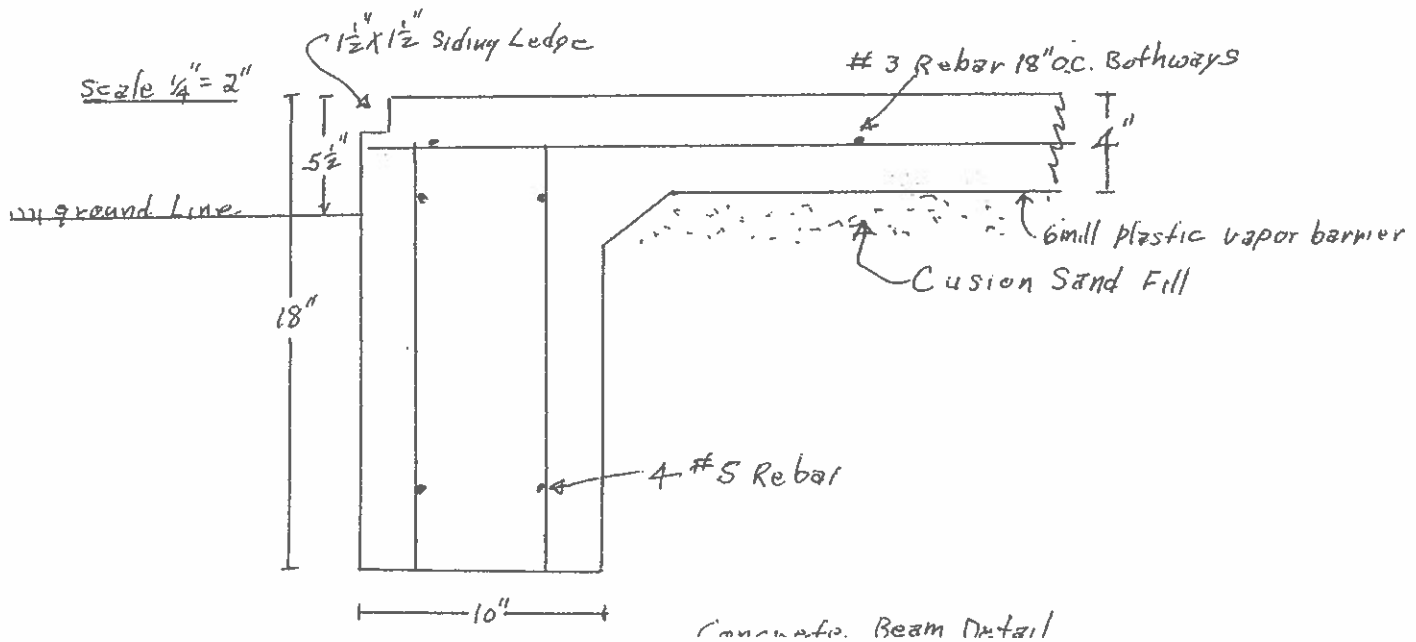
Richard Ramirez  
610 Oakbrook  
Wylie, TX, 75098

Mobile 972-741-3142, Office 972-221-0516, Fax 972-436-0930

### Concrete Detail



### Concrete Floor Plan



### Concrete Beam Detail



## Frame Coating

### Main Columns & Rafters

- ☒ Red oxide
- ☐ Hot-Dipped Galv'd

### Purlins, Girts, Eave Struts

- ☒ Red oxide
- ☐ Pre-Galvanized
- ☐ Hot-Dipped Galv'd

### Door Framing

- ☒ Red oxide
- ☐ Pre-Galvanized
- ☐ Hot-Dipped Galv'd

### Base Angle

- ☒ Red oxide
- ☐ Pre-Galvanized
- ☐ Hot-Dipped Galv'd

## End Frames

### Base Condition

### Wall Bracing:

### Bracing Details

	Left	Right			
Expandable	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/> Ang	Roof:	<b>Diagonal Bracing</b>
Non-Exp RF	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/> Trim	Left Endwall:	<b>Rigid Frame</b>
Std. Endwall	<input type="radio"/>	<input type="radio"/>	<input type="radio"/> Chan	Front Sidewall:	<b>Diagonal Bracing</b>
CF Endwall	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/> Girt	Right Endwall:	<b>Panel Shear</b>
				Back Sidewall:	<b>Diagonal Bracing</b>

## Framed Openings

Note: Bolted Clips

Wall	Bay	Open Width	Header Ht	Sill Ht	Offset
Left Endwall	2	16.000'	10.000'	0.000'	0.000'

\*Note on framed openings: Mueller, Inc will supply the necessary reinforcement to brace framed openings against necessary loadings. If the size of the framed openings are specified by the customer, Mueller, Inc will not be responsible for adaptability of fit-up of items installed in these framed openings other than stock overhead doors supplied by Mueller, Inc

## Purlin Extensions

Wall	Surface	Length	Soffit
None			

## Eave Extensions and Canopies

Wall	Bay St	Bay End	Height	Width	Slope	Soffit
None						

## Open walls:

\*Note: All open walls will contain necessary columns unless otherwise noted.

Left Endwall:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	Right Endwall:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Front Sidewall:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	Back Sidewall:	<input type="radio"/> Yes	<input checked="" type="radio"/> No

## Partial Walls:

Wall	Bay Start	Bay End	Open Height	Base	Full Load
None					

## Sheets & trim

Roof	Walls	Trim	Soffit
Color: Lt Stone	Color: Lt Stone	Gable: Lt Stone	Color:
Panel: R	Panel: R	Eave: White	Panel:
Gauge: 26	Gauge: 26	Corner: White	Gauge:
Quality: 30 / 25 Yr. *	Quality: 30 / 25 Yr. *	Jamb: White	Quality:

\* see specific details at [www.muellerinc.com](http://www.muellerinc.com).

## Fasteners

Roof	Walls	Soffit
Panel: TEK_75	Panel: TEK1.25	Panel:
Lap: LAPTEK	Lap: LAPTEK	Lap:
Type: Painted	Type: Painted	Type:

## Ridge Covering

### Eave Condition

- ☒ Peak Sheets

Front Sidewall

Back Sidewall

# NOTIFICATION REPORT

APPLICANT: Richard Ramirez  
610 Oakbrook Drive Wylie, Texas 75098

APPLICATION FILE 2011-01

#	BLK/ABST	LOT/TRACT	TAX I.D. #	PROPERTY OWNER NAME	ADDRESS
1				Applicant Richard Ramirez	610 Oakbrook Drive Wylie, Texas 75098
2	Blk A	Stoneridge Farms Lot 1	R-3718-00A-0010-1	Jose Rojas-Garcia	600 Oakbrook Drive Wylie, Texas 75098
3	Blk A	Stoneridge Farms Lot 2	R-3718-00A-0020-1	Richard Ramirez	610 Oakbrook Drive Wylie, Texas 75098
4	Blk A	Stoneridge Farms Lot 3	R-3718-00A-0030-1	Joe Murray	620 Oakbrook Drive Wylie, Texas 75098
5	Blk A	Stoneridge Farms Lot 4	R-3718-00A-0040-1	Greg Wyrem	630 Oakbrook Drive Wylie, Texas 75098
6	Blk C	Stoneridge Farms Lot 1	R-3718-00C-0010-1	Duane Goettsch	801 Crestview Lane Wylie, Texas 75098
7	Blk D	Stoneridge Farms Lot 6	R-3718-00D-0060-1	John Hendrix	800 Crestview Lane Wylie, Texas 75098
8	Blk A	Waterbrook Bible Lot 1	R-6023-000-0240-1	Waterbrook Bible Fellowship	507 Thomas Street Wylie, Texas 75098
9	---	Eldridge Addn Lot 1	R-1161-000-0010-1	Vivian Austin	606 E. Stone Road Wylie, Texas 75098
10	---	Eldridge Addn Lot 2	R-1161-000-0020-1	Wayne Rich	102 Hensley Lane Wylie, Texas 75098
11					
12					
13					
14					
15					
16					
17					
18					

Stone Road

3

2

5

(A)

Crestview Lane

2

Earl Hale

4

(A)

5

Oakbrook

Owner Notification Map  
ZBA Case #2011-01